# IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 13th day of November , 2002

Criminal Misc. Bail Application Number 1212 of 2002

**Order on the Bail Application**

CRIMINAL SIDE

Mayur S/o Shiv Charan, r/o New Basti Chukhuwala Block IIIrd Indra Colony, Dehradun
……..…..Applicant(s)

***Versus***

State of Uttaranchal. ……...……...……..Opposite Party

---

Arising out of - Case Crime no. 674/ 2001,
Under Section 366/376 IPC
P.S. Kotwali
district Dehradun

---

**By the Court**

**Hon'ble Irshad Hussain, J.**

Heard the learned counsel for the applicant-accused and the Assistant Government Advocate.

Perused the impugned order of rejection of the bail dated 16.07.2002. The learned Sessions Judge had taken the applicant-accused into custody although he was on bail granted from the High Court without giving him any opportunity to show cause. The impugned order clearly appears to be unjust and without jurisdiction. Considering this, the order dated 16.07.2002 is set aside and the applicant-accused shall remain on bail on the earlier bail bonds furnishing by him per order dated 22.03. 02 of this Court.

(**Irshad Hussain, J.)**

13.11. 02/B.